

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AVENTIS PHARMA S.A.,

Plaintiff,
Counterdefendant,

V.

BAXTER HEALTHCARE CORP.,

Defendant,
Counterclaimant.

Civil Action No. 06-636-GMS

STIPULATION REGARDING AMENDMENT OF PLEADINGS

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and consistent with the deadline for amendment of pleadings imposed by the Court’s scheduling order (D.I. 19) in this action, Plaintiff Aventis Pharma S.A. (“Aventis”) and Defendant Baxter Healthcare Corporation (“Baxter”) hereby stipulate and agree as follows:

1. Aventis can file its proposed Amended Complaint, in the form previously provided to Baxter's counsel, to which Baxter can fully respond without limitation.

2. In the event Aventis decides not to file its Amended Complaint, Aventis shall so inform Baxter by no later than 9:00 am EDT on Friday, September 14, 2007, in which case Baxter can file its proposed Amended Answer and Counterclaim, in the form previously provided to Aventis' counsel.

3. The parties agree that their stipulation and consent to allow amendments of the pleadings does not constitute an admission of any of the allegations contained in the amended pleadings.

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